

**AGENDA MEMO**

**CITY COUNCIL MEETING DATE: OCTOBER 17, 2007**

**DEPARTMENT: PLANNING AND DEVELOPMENT**

**ITEM DESCRIPTION: SDR-18925 - APPLICANT/OWNER: WAYWARD PROPERTIES, INC.**

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***THIS ITEM WAS HELD IN ABEYANCE FROM THE SEPTEMBER 19, 2007 CITY COUNCIL MEETING AT THE REQUEST OF COUNCILMAN REESE.***

**\*\* CONDITIONS \*\***

Staff recommends DENIAL. The Planning Commission (7-0 vote) recommends APPROVAL, subject to:

**Planning and Development**

1. Conformance to the conditions for Rezoning (ZON-18923), Variance (VAR-18924), and Variance (VAR-19609) if approved.
2. This approval shall be void two years from the date of final approval, unless a building permit has been issued for the principal building on the site. An Extension of Time may be filed for consideration by the City of Las Vegas.
3. All development shall be in conformance with the site plan, landscape plan and building elevations date stamped 07/12/07, except as amended by conditions herein.
4. A Waiver from Title 19.12.040A is hereby approved, to allow a perimeter landscape buffer width of four feet on the north and zero feet on south property lines where five feet is the minimum required.
5. An exception from Title 19.10.010 (J11) Parking, Loading, and Traffic Standards is hereby approved, to allow zero parking lot fingers where two parking lot fingers are required.
6. A technical landscape plan, signed and sealed by a Registered Architect, Landscape Architect, Residential Designer or Civil Engineer, must be submitted prior to or at the same time application is made for a building permit. A permanent underground sprinkler system is required, and shall be permanently maintained in a satisfactory manner; the landscape plan shall include irrigation specifications.
7. Pre-planting and post-planting landscape inspections are required to ensure the appropriate plant material, location, size of planters, and landscape plans are being utilized. The Planning and Development Department must be contacted to schedule an inspection prior to the start of the landscape installation and after the landscape installation is completed. A certificate of occupancy will not be issued or the final inspection will not be approved until the landscape inspections have been completed.

8. Reflective glazing at the pedestrian level is prohibited. Glazing above the pedestrian level shall be limited to a maximum reflectance rating of 22% (as defined by the National Institute of Standards and Technology).
9. All mechanical equipment, air conditioners and trash areas shall be fully screened in views from the abutting streets.
10. All utility boxes exceeding 27 cubic feet in size shall meet the standards of LVMC Title 19.12.040.
11. Parking lot lighting standards shall be no more than 30 feet in height and shall utilize downward-directed lights with full cut-off luminaries. Lighting on the exterior of buildings shall be shielded and shall be downward-directed. Non-residential property lighting shall be directed away from residential property or screened, and shall not create fugitive lighting on adjacent properties.
12. A fully operational fire protection system, including fire apparatus roads, fire hydrants and water supply, shall be installed and shall be functioning prior to construction of any combustible structures, subject to the requirements of the Fire Marshal.
13. All City Code requirements and design standards of all City Departments must be satisfied, except as modified herein.

**Public Works**

14. All landscaping and private improvements installed with this project shall be situated and maintained so as to not create sight visibility obstructions for vehicular traffic at all development access drives and abutting street intersections.
15. Site development to comply with all applicable conditions of approval for Zoning Reclassification ZON-18923 and all other subsequent site-related actions.
16. Coordinate with the City Surveyor regarding recordation of a Reversionary Map for this site; comply with the recommendations of the City Surveyor.
17. Remove all substandard public street improvements and unused driveway cuts adjacent to this site, if any, and replace with new improvements meeting current City Standards concurrent with development of this site. All existing paving damaged or removed by this development shall be restored at its original location and to its original width concurrent with development of this site.
18. Landscape and maintain all unimproved rights-of-way, if any, on Seventh Street adjacent to this site.

19. Submit an Encroachment Agreement for all landscaping and private improvements, if any, located in the Seventh Street public right-of-way adjacent to this site prior to occupancy of this site.
20. Meet with the Flood Control Section of the Department of Public Works for assistance with establishing finished floor elevations and drainage paths for this site prior to submittal of construction plans or the issuance of any building or grading permits, whichever may occur first. Provide and improve all drainage ways as recommended.

**\*\* STAFF REPORT \*\***

**PROJECT DESCRIPTION**

This is a request for a Site Development Plan Review for a two-story, 3,299 square-foot professional office building with a Waiver to allow a perimeter landscape buffer width of four feet on the north and zero feet on south property lines where five feet is the minimum required on 0.16 acres at 514 South Seventh Street. Parking and lot width do not meet code requirements and two Variances (VAR-18924 and VAR-19609) have been requested. Access to the property is provided by an alley through to the west.

Although the applicant has integrated design concepts that maintain the historical character of the existing dwelling and its relationship to the street, multiple deviations from standards indicate that the applicant is intending to overbuild the site; therefore, staff recommends denial.

**BACKGROUND INFORMATION**

<b><i>Related Relevant City Actions by P&amp;D, Fire, Bldg., etc.</i></b>	
08/23/07	<p>The Planning Commission recommended approval of companion items ZON-18923, VAR-18924 and VAR-19609 concurrently with this application.</p> <p>The Planning Commission voted 7-0 to recommend APPROVAL (PC Agenda Item #31/jm).</p>
<b><i>Pre-Application Meeting</i></b>	
12/05/06	A pre-application meeting was held. Title 19 Landscaping and Parking standards were discussed. It was noted by Public Works that parking spaces cannot back directly onto a public street. In addition, submittal requirements for a variance, site development review and rezoning were discussed.
3/28/07	A follow-up meeting was held with the applicant. The applicant discussed a redesign of their project to decrease the previous number of deviations requested and provide more landscaping on the site.
<b><i>Neighborhood Meeting</i></b>	
A neighborhood meeting was not held, nor was one required.	

<b><i>Details of Application Request</i></b>	
<b><i>Site Area</i></b>	
Net Acres	0.16

Surrounding Property	Existing Land Use	Planned Land Use	Existing Zoning
Subject Property	Duplex	MXU (Mixed Use)	R-1 (Single Family Residential)
North	Apartment	MXU (Mixed Use)	R-3 (Medium Density Residential)
South	Office	MXU (Mixed Use)	P-R (Professional Office and Parking)
East	Office	MXU (Mixed Use)	R-1 (Single Family Residential)
West	Office	MXU (Mixed Use)	P-R (Professional Office and Parking)

<i>Special Districts/Zones</i>	<i>Yes</i>	<i>No</i>	<i>Compliance</i>
<b>Special Area Plan</b>	X		Y
Redevelopment Plan Area	X		Y
<b>Special Purpose and Overlay Districts</b>			
Historic Las Vegas High School Neighborhood District	X		Y
<b>Trails</b>		X	Y
<b>Rural Preservation Overlay District</b>		X	Y
<b>Development Impact Notification Assessment</b>		X	Y
<b>Project of Regional Significance</b>		X	Y

## DEVELOPMENT STANDARDS

*Pursuant to Title 19.08, the following development standards apply:*

<i>Standard</i>	<i>Required/Allowed</i>	<i>Provided</i>	<i>Compliance</i>
Min. Lot Width	60 Feet	50 Feet	N*
Min. Setbacks			
• Front	20 Feet	20 Feet	Y
• Side	5 Feet	5 Feet	Y
• Corner	15 Feet	NA	NA
• Rear	15 Feet	18 Feet	Y
Max. Lot Coverage	50%	26.5%	Y
Max. Building Height	2 stories or 35 Feet	35 Feet	Y
Trash Enclosure	Yes	Curb	Y
Mech. Equipment	Yes	Yes	Y

*\* A Variance (VAR-19609) application is required.*

***Pursuant Title 19.12, the following landscape standards apply:***

<b><i>Landscaping and Open Space Standards</i></b>				
<b><i>Standards</i></b>	<b><i>Required</i></b>		<b><i>Provided</i></b>	<b><i>Compliance</i></b>
	<b><i>Ratio</i></b>	<b><i>Trees</i></b>		
Parking Area	1 Tree/ 6 Spaces	2 Trees	Zero Trees	N*
Buffer: Min. Trees (South, East, West)	1 Tree/ 30 Linear Feet	9 Trees	9 Trees	Y
Buffer: Min. Trees (North)	1 Tree/ 20 Linear Feet	8 Trees	8 Trees	Y
<b>TOTAL</b>		19 Trees	17 Trees	N*
Min. Zone Width (Right-of-Way)	15 Feet		15 Feet	Y
Min. Zone Width (Interior-north)	5 Feet		4 Feet	N*
(Interior-south)	5 Feet		Zero Feet	N*
Wall Height	8 Feet		Not provided	N/A

*\* Waivers from Title 19.12.040A and 19.12.040B Landscape, Wall and Buffer Standards and Title 19.10.010 J11 Parking, Loading, and Traffic Standards have been requested by the applicant.*

***Pursuant to Title 19.10, the following parking standards apply:***

Parking Requirement							
Use	Gross Floor Area or Number of Units	Required			Provided		Compliance
		Parking Ratio	Parking		Parking		
			Regular	Handi-capped	Regular	Handi-capped	
Office	3,299 GF	1 per 300 SF	10	1	5	1	N*
TOTAL			11		6		
Percent Deviation					46%		N*

***A Variance (VAR-18924) application is required***

<b><i>Waivers</i></b>		
<b><i>Request</i></b>	<b><i>Requirement</i></b>	<b><i>Staff Recommendation</i></b>
Zero Parking Lot Landscape Fingers	1 per 6 parking spaces	Denial
A Waiver to allow a perimeter landscape buffer width of four feet on the north and zero feet on south property lines where five feet is the minimum required.	5 feet	Denial

## **ANALYSIS**

- **Zoning**

The applicant is requesting a Rezoning from R-1 (Single Family Residential) to a P-R (Professional Office and Parking) District. As the proposed development does not meet the lot width requirement for a P-R (Professional Office and Parking) District, a companion Variance (VAR-19609) has been requested.

- **Site Plan**

The applicant is maintaining the existing historic building built in 1932 by incorporating it into the design of the proposed two-story, 3,299 square-foot office building. The office space is located primarily on the second story as six parking spaces are located underneath the building in the rear. Access to the second story is from a stairwell in the rear.

The parking underneath the building is in the rear of the site, gaining access from an alley way to the west of the parcel with access to Clark Avenue to the north and Bonneville Avenue to the south. As designed, the project requires several deviations from standards, including landscape waivers for the perimeter buffer width and landscape fingers in the parking lot area. Additionally, two Variances (VAR-19609 & VAR-18924) have been requested for lot width requirements and parking respectively. Although these deviations from standards indicate that the applicant is intending to overbuild the site, the applicant has integrated design concepts that maintain the historical character of the existing dwelling and its relationship to the street.

- **Waivers**

The applicant is requesting a Waiver to allow a perimeter landscape buffer width of four feet on the north and zero feet on south property lines where five feet is the minimum required. In addition, the applicant is requesting a Waiver to provide zero parking lot landscape fingers in the parking area. These Waivers cannot be supported as the applicant is attempting to overbuild the site

- **Landscape Plan**

Several Title 19 standards cannot be met as a result of the size of the building and the configuration of parking areas. Parking with access from the alley to the west eliminates the possibility of providing landscaping along this edge of the property. The site is also deficient in landscape buffer width requirements on the north and south property lines. In addition, the site is deficient in parking lot landscape fingers. Waivers have been requested on both items.

- **Elevation**

Elevations depict a two-story L-shaped building with three parking spaces, one handicap accessible underneath a portion of the second floor overhang. The height of the two-story buildings is approximately 35 feet. Building materials are per City of Las Vegas requirements.

- **Floor Plan**

The Floor plan depicts a two-story L-shaped office building with access to the east of the building on 7<sup>th</sup> Street and a stairwell at the rear of the building leading up to the second story. Office space will be located on both floors.

- **Historic Preservation**

**Background**

The subject site includes one parcel within the Las Vegas High School Historic District, which is listed on the National Register of Historic Places. The National Register is the United States' official list of historic places worthy of preservation because they are historically, architecturally, or archeologically significant. The National Register listing recognizes the significance of properties and districts within a community, and provides a limited degree of protection from the effects of federally funded, licensed, or permitted activities.

Properties listed on the National Register do not fall under the jurisdiction of the city of Las Vegas Historic Preservation Commission (HPC) design review process whereby the HPC approves or disapproves major changes that are planned for the district. However, because the district is listed on the National Register, the Planning and Development Department has worked with the HPC to identify the significant architectural and streetscape elements that define the unique character of the district. The typical character-defining elements include one-story, residential homes built from the early 1930s through the 1940s. The styles of the original homes are typically early Revival styles such as Tudor, Spanish and Colonial, and several Ranch style examples.

The Las Vegas High School Historic District was surveyed in 1987. The survey was funded by a grant from the National Park Service, and completed by Dorothy Wright for the Nevada State Museum and Historical Society.



### **Historic Significance**

514 S. Seventh Street is considered to be a “contributing resource,” meaning, it retains its architectural integrity and context within the historic neighborhood.

514 S. Seventh was built in 1930 in the Spanish/Mission Revival style. This duplex is one of the earliest structures in the neighborhood, and one of many that was built at least partly as a rental property, due to the Boulder Dam population boom.

Built for Owen W. Gates, this two story building was constructed by E.L. Andres for \$5,000. Gates moved to Las Vegas from Los Angeles in 1929 to establish a local branch of Pioneer Title Insurance and Trust Company, and he was the vice-president and general manager of that operation. He served as the first president of the Fish and Game Association, president of the Chamber of Commerce, and chairman of the local chapter of the American Red Cross as well as numerous other civic and charitable organizations. In addition, he was an influential member of the Colorado River Commission, a tireless Las Vegas booster, and worked to get Boulder Dam for the area.

### **Review**

The proposed project includes retention of approximately eleven (11) feet of the existing façade, and demolition of the remainder of the building to be replaced by a two-story addition. Because of this, the project is considered compatible with the existing historic context of the Las Vegas High School Neighborhood Historic District, as well as the historic building itself. This type of development is supported by the HPO.

## **FINDINGS**

In order to approve a Site Development Plan application, per Title 19.18.050 the Planning Commission and/or City Council must affirm the following:

- 1. The proposed development is compatible with adjacent development and development in the area;**

The parcels adjacent to this one to the south and east across 7<sup>th</sup> Street are currently used for office purposes. Although it is considered compatible with the existing historic context of the Las Vegas High School Neighborhood Historic District, as well as the historic building itself, the multiple deviations from standards indicate that the applicant is intending to overbuild the site. Therefore, denial is recommended.

2. **The proposed development is consistent with the General Plan, this Title, the Design Standards Manual, the Landscape, Wall and Buffer Standards, and other duly-adopted city plans, policies and standards;**

The proposed development requires several deviations from standards as designed. The project requires waivers of the perimeter landscape buffer and parking lot landscaping requirements. Variances are required for lot width and parking deficiencies. Due to these deviations denial of this request is recommended.

3. **Site access and circulation do not negatively impact adjacent roadways or neighborhood traffic;**

The site gains access from an alley way to the west of the parcel with access to Clark Avenue to the north and Bonneville Avenue to the south.

4. **Building and landscape materials are appropriate for the area and for the City;**

Building and landscape materials are appropriate for the area and the City of Las Vegas.

5. **Building elevations, design characteristics and other architectural and aesthetic features are not unsightly, undesirable, or obnoxious in appearance; create an orderly and aesthetically pleasing environment; and are harmonious and compatible with development in the area;**

Elevations and design characteristics for the office building are not unsightly or obnoxious in appearance; however, the building style is not harmonious and compatible with existing development. The style does not reflect the existing residential development or historic architecture.

6. **Appropriate measures are taken to secure and protect the public health, safety and general welfare.**

The proposed development will not compromise the public health, safety, and general welfare.

#### **PLANNING COMMISSION ACTION**

Conditions #12 was amended as shown.

#### **NEIGHBORHOOD ASSOCIATIONS NOTIFIED**

**ASSEMBLY DISTRICT**      9

**SENATE DISTRICT**      3

**NOTICES MAILED**      162      by Planning Department

**APPROVALS**      3

**PROTESTS**      2